

# Minutes

## WASTE FACILITIES MONITORING COMMITTEE MEETING

Thursday, May 3, 2007  
Approved 6/7/07

Chairman Wolff called the meeting to order at 6:00 p.m.

PRESENT: Mr. James Bergmann, Mr. Steven Carlson, Mr. Don Counter, Mrs. Karen Fiedler, Mr. Nick Ioder, Mr. Don Mateicka, Sr. and Mr. Marvin Wolff

Mr. Matt Rehtin representing Waste Management

ABSENT: Mr. Roland Kieffer (excused)

It was noted that the meeting was posted in accordance with the open meeting law.

GUESTS: Mr. Stan Bugnacki , Mr. Helmet Kopp, Mrs. Adeline Kopp, Ms. Angela Peterson

### APPROVAL OF MINUTES

*February 1, 2007*

Mr. James Bergmann moved to approve the minutes. Mrs. Karen Fiedler seconded. Upon a voice vote , the motion carried.

### OPEN FORUM:

Mr. Helmet Kopp addressed the committee relative to his daughter not receiving the well sampling letter due to the wrong name in the database for their tax key number. He also gave the committee members insight into how the post office handles mail. His daughter's address is 10900 W. Oakwood Road, Franklin WI. A check of the mailing label list showed the previous owner. The envelope was returned labeled "return to sender, not deliverable as addressed, unable to forward."

Ms. Angela Peterson also did not receive a mailing because the previous property owner's name was on the mailing label.

Mr. Rehtin gave J. Spear Associates the benefit of the doubt on these errors occurring with the mailing lists. He will be forwarding this information on to them and have them look into it.

Chairman Wolff added that two more requests for sampling had been received. These will also be included on an updated list. As one noted they had not received a notice in five years, Mrs. Fiedler felt they should be tested this year.

### PERSONAL APPEARANCE:

Mr. Jo Spear, Sr and Jr. were not in attendance. No compliance report available for review.

### FINANCIAL REPORT

Chairman Wolff reported that a financial report, dated April 30, 2007, showed a cash balance of \$16,494.54. On January 1, 2007, the report had a cash forward balance of \$5,091.35. An expense reimbursement had been received from Waste Management in the amount of \$14,511.03 on January 15. The expenses, to date, were for members payments, secretarial service, printing of well sampling documents, envelopes, postage and J. Spear Associates. Quarterly interest of \$230.28 was added to the account on March 31, 2007. Mr.

Bergmann questioned how much the committee paid J. Spear Associates by contract. Chairman Wolff clarified that there are two separate contracts with J. Spear Associates, one (on-site inspection) is paid by City of Franklin and one (well sampling) by Waste Management. He recommended Mr. Bergmann see Greg Wnuk at city hall for details. **Mr. Don Mateicka, Sr. moved to approve the financial report. Mr. Bergmann seconded. Upon a voice vote, the motion carried unanimously.**

**BUSINESS:**

*Selection of Wells for 2007*

As J. Spear Associates representatives were not in attendance, the committee elected to hold a special meeting within 30 days as the next regularly scheduled meeting would be too late to have the lab do the sampling in a timely fashion. **Mr. James Bergmann moved that within the next 30 days to hold a special meeting to address the 2007 well sampling and that J. Spear Associates will have this straighten out by the time the committee meets. Mr. Don Counter seconded.** Chairman Wolff reiterated that the committee was going to hold this off for one month, have Spear go over the missing ones and get everything up to date and in one month, the committee will address this issue of well sampling. **Upon a voice vote, the motion carried unanimously.**

*Lab Contract*

Mr. Matt Rehtin advised that the lab cost came back actually with a three percent decrease from last year. This in part due to new electronics on their analyzer for VOCs. They can take a lot more readings and have streamlined their mechanism for analyzing, thus cutting overhead, etc. enabling them to cut the price. He recommended that the committee go with Northern Lakes again. **Mr. Don Mateicka, Sr. moved to accept the Northern Lakes proposal for the 2007 well sampling. Mr. Don Counter seconded. Upon a voice vote, the motion carried unanimously.** Mr. Counter asked if there was going to be a software issue between J. Spear Associates and Northern Lakes which had been mentioned at an earlier meeting. Mr. Rehtin said the software issue was in regards to the existing mailing database.

*Cost for Rebuilding Database*

Mrs. Fiedler asked if they had a proposal for rebuilding the database, is it to come from J. Spear Associates. Mr. Don Mateicka, Sr. questioned if that was for putting in all the correct names and addresses. Due to no one from J. Spear Associates in attendance, **Mr. Bergmann moved to defer the item until the special meeting in 30 days. Mr. Don Counter seconded. Upon a voice vote, the motion carried unanimously.**

*WFMC By-laws*

Mr. Bergmann presented the committee members with a copy of the by-laws for the siting committee. He gave a brief history of how those by-laws were created. The major reason for having by-laws is in the event somebody, somewhere states the committee is running illegal meetings or have no rhyme nor reason for the committee's actions, the committee member(s) could then revert back to the by-laws. The by-laws would clearly spell out what the committee does and it would save getting a personal letter from corporate counsel down in Milwaukee. The by-laws would be an added layer of protection for committee members. He highlighted the important parts of the by-laws, including the reference to the Wisconsin statutes. He urged the committee members to seriously consider drafting by-laws for the WFMC. Don Mateicka, Sr. recommended that Chairman Wolff revise the siting committee by-laws to reflect the Waste Facility Monitoring Committee's duties and responsibilities. Mrs. Fiedler questioned what was not included in the agreement, delineating the WFMC. Mr. Bergmann stated it does not specify by-laws, just creation of the committee and no depth on how the committee will be running their meetings. By-laws would be more specific. It is a catch-all so the members don't get trapped up sometime in the future as the committee will be meeting for 40 years. It would serve as a safety net for the committee members. It was the consensus of the committee to review the revised document, if available, at the next meeting.

*Waste Management's Report*

As Mr. Hackney was not present, Mr. Rehtin distributed the report on the site activities between February 2 and May 3, 2007, and elaborated on several of the items.

- The turbine plant compressor replacement is going well. The motors, controls and alarms are being tested this week with anticipated commissioning next week.
- Flare ran 99.5% of the time thus far while the turbine plant compressor is being replaced.
- Contractor started the 2007 well field expansion construction on 4/9. 16 of the 22 wells to be installed have been completed.
- On 3/13, the groundwater sampling inspection completed by the WDNR.
- On 3/20, Initial Site Inspection for interim expansion completed by WDNR.

Projected site activities prior to the August meeting:

- Raze building and home located just north of Recycle Building.
- Seed disturbed areas where gas collection system took place on capped portion of the landfill.
- Outside slope filling will commence soon, starting in the northeast corner along side 112<sup>th</sup> Street.

Mr. Rehtin provided a written report on submittals. There were a lot of submittals on hazardous waste manifests to the WDNR. These manifests would be concerning the sludge from the pretreatment plant and cleaning solutions/solvents from the parts cleaners/shop area. He suggested that the members review the 2006 annual reports to gain a good knowledge of what transpires at the facility. He noted that the 2006 Annual Report is a report on their plan of operations line by line. The 2006 Recirculation Annual Report is the first one being required by the WDNR through code. He pointed out they had submitted their request to withdraw the eastern expansion application.

MISCELLANEOUS BUSINESS

Mr. Rehtin shared that he had accepted a promotion and relocation to Indianapolis effective May 24. This would more than likely be his last meeting.

Mrs. Fiedler brought up the issue of the odor complaints. The way they are reported to Waste Management and then trying to see if there is some way they can notify Chairman Bartes of the Veolia ES Emerald Park Standing Committee if the odor was coming from Emerald Park. She shared that Mr. Ioder had called Chairman Bartes and the issue was resolved because Emerald Park was notified at the time the odor was noticed. She would like to get the two parties together in a reasonable fashion to solve the problem. Mr. Rehtin shared that there is a lot of money paid for Bob Schick's services and indeed if a complaint comes in that cannot be attributed to Waste Management, they feel that Bob Schick is going out of his way to report it. In those instances, he thought the service and the monetary value of that service should be directed to that source. Mrs. Fiedler pointed out that if the calls aren't directed to the right facility, then Waste Management would continue to get the calls and to hire the service. If Mr. Schick determines it is the other landfill, then he should be able to make the call to Chairman Bartes. She recommended it be tried for six months to see if it can be verified that the call was for the other landfill and then recommend that Waste Management be reimbursed. How can the issue be resolved? Discussion ensued on how to come to some reasonable agreement for resolving the issue. Chairman Wolff thought that Chairman Bartes and he needed to sit down with Jay and Matt and see what they can figure out. Mr. Bergmann agreed that both of the chairs meet with the highest members that can say yes or no with the corresponding companies and see what they can come up with and bring it back to both committees.

*Next Meeting*

Mr. Nick Ioder moved, Mrs. Fiedler seconded, to hold a special meeting on Thursday, June 7, 6:00 p.m., at the landfill site. Upon a voice vote, the motion carried unanimously. The next regular meeting is scheduled for August 2.. .

ADJOURNMENT:

At 7:04 p.m., Mr. Bergmann moved to adjourn, seconded by Mr. Don Mateicka, Sr.. Upon a voice vote, the motion carried unanimously.

*Stella Dunahee*

Stella Dunahee, CPS, Recording Secretary